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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,527	03/05/2001	Norbert Lobig	P010088	1420
26371 7590 12/19/2006 FOLEY & LARDNER LLP 777 EAST WISCONSIN AVENUE MILWAUKEE, WI 53202-5306			EXAMINER TANG, KAREN C	
			ART UNIT 2151	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/786,527

Applicant(s)

LOBIG, NORBERT

Examiner

Karen C. Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-29, 31-37, 39 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-29, 31-37, 39 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

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- This action is responsive to the amendment and remarks file on 10/13/06.
- Claims 23-29, 31-37, 39-40 are amended are for further examination.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 23-29, 31-37, 39-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Emery et al (US 5,758,281) hereinafter Emery.

1) Referring to claim 23 and 32, Emery discloses:

A first telecommunication network: Examiner interprets the first telecommunication network (22, Fig 2); A local exchange (VLR at 22, Fig 2); A second telecommunication network (26, Fig 2, Col 15, Lines 20-35); A second local exchange (VLR at 26, Fig 2);

A subscriber (cell user, refer to Col 4, Lines 60-67);

Said first telecommunication network being connected to said second telecommunication network via a connection point (31, STP, Fig 2), wherein the two telecommunication networks are interconnected (Fig 2, Col 13, Lines 1-15).

Said subscriber station involved in a change between telecommunications network (refer to Col 4, Lines 45-67), Said subscriber station initially connected to said first telecommunications

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network (inherently that the subscriber is initially connected to first network to enable a switch to another network).

Said primary routing information (current location, refer to Col 5, Lines 1-22) pertaining to said subscriber station (while in the first network, the user is inherently registered with its routing information with the network)

Said primary routing information being contained in the first and second telecommunication network (refer to Col 5, Lines 23-45).

Said primary routing information for defining a connection set up from the respective telecommunications network to the first local exchange (refer to Col 5, Lines 1-22).

Storing the secondary routing information in the first local exchange (current location, refer to Col 5, Lines 1-22).

Secondary routing information for defining a further connection setup, for the subscriber station to the secondary telecommunications network via the connection point provided that the subscriber station is not present (refer to Col 5, Lines 22-45).

Changing the primary routing information the second telecommunications network such that connections from the second communication network to the subscriber station are being set up to the second local exchange (refer to Col 5, Lines 23-67).

Disconnecting the subscriber station from the first local exchange (refer to Col 5, Lines 45-67).

Connecting the subscriber station to the second local exchange (refer to Col 5, Lines 23-45).

the subscriber station is accessible virtually all the time (while on wireless, it is inherent that the subscriber station is accessible virtually all the time).

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2) Referring to claim 24, Emery discloses changing the primary routing information in the second telecommunications network such that connections from the second communications network to the subscriber station are being set up to the second local exchange (refer to Col 5, Lines 20-45 and Fig 4).

3) Referring to claim 26, Emery discloses activating the secondary routing information in the first local exchange upon a fault occurring on an access line of the subscriber station while disconnecting the subscriber station, said secondary routing information relating to the subscriber station (refer to Col 5, Lines 20-67).

4) Referring to claim 27 and 35, Emery discloses changing the primary routing information in the first communications network after disconnecting the subscriber station from the first local station, so that communication requests originating from the first telecommunications network to the subscriber station are passed from the first telecommunications network to the second telecommunications network via the connection point (Col 5, Lines 20-67 and Fig 2 and Col 6, Lines 8-17).

5) Referring to claim 28, Emery discloses deleting the secondary routing information in the first local exchange – said secondary routing information relating to the subscriber station (refer to Col 5, Lines 45-67).

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6) Referring to claim 29, Emery discloses the network deleting details from the first local exchange, said details relating to a relevant subscriber station being previously connected to the first telecommunications network (refer to Col 5).

7) Referring to claim 31 and 39, Emery discloses a carrier signal for a duration of the subscriber switching, said the signal being monitored by the first local exchange in order to identify a line fault on a(n) digital lines (refer to Col 5, Lines 40-67).

8) Referring to claims 25 and 33, Emery discloses details that provide information to the subscriber station in a course of a connection request with storage of the secondary routing information in the secondary local exchange if the subscriber station is still being connected to the first local exchange, then, carrying out the further connection setup via the second local exchange (refer to Col 5, Lines 20-67).

Emery further disclose if the subscriber station is no longer connected to the second local exchange, then, carrying out the further connection setup via an associated secondary routing information (refer to Col 5, Lines 20-67).

9) Referring to claim 34, Emery discloses deactivating the secondary routing information relating to the subscriber station in the second local exchange, upon a fault end signal occurring on an access line of the subscriber station while disconnecting the subscriber station (refer to Col 5, Lines 45-67).

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10) Referring to claim 36, Emery discloses the network deleting details from the second local exchange (refer to Col 5, Lines 40-67).

11) Referring to claim 37, Emery discloses by change a part of the details, it indicate a connection of the subscriber station to the second local exchange (refer to Col 5, Lines 40-67).

12) Referring to claim 40, Emery discloses storing and making available the primary and secondary routing information by utilizing at least one of a local operation at an exchange level and a central operation in a network (Col 5, Lines 20-67).

Response to Arguments

Applicant's arguments filed 10/16/06 have been fully considered but they are not persuasive.

Applicant argued that Emery presents the static binding of subscriber to his home network (HLR) remains unchanged (i.e., the HLR of the subscriber remains the same) when the subscriber changes his location. In contrast, in the present application the static binding of the subscriber to his home network (i.e., the local exchange of the subscriber) does not remain the same when the subscriber changes the (home) network. Therefore, Emery does not anticipate that which is disclosed and claimed in the present application.

Examiner respectfully traversed the argument – “No new argument has been raised”, and all the argument was addressed on the previous office action. Further, in applicant’s argument, since there is no new argument been raised nor the claims been amended, therefore, applicant's

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arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

On applicant's remark/response, page 8, where it is indicated "the independent claims 23 and 32, as amended", there is no amendment made on the claim language on 10/13/06.

Furthermore, applicant indicate there is a mischaracterization of Emery, and indicate the network element realizes the static binding of a subscriber to a network. After further read into applicant's specification and claim language. There is nowhere the words "static binding" is associated with applicant's local exchange. Emery has satisfied and provided every single limitation in the claim language, and therefore, the argument is traversed.

Conclusion

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KT



ZARNI MAUNG
SUPERVISORY PATENT EXAMINER